

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSEPH RED THUNDER,	)	CASE NO. C05-0283-RSL-MAT
	)	
Plaintiff,	)	
	)	
v.	)	ORDER DIRECTING PARTIES TO
	)	SUBMIT JOINT PRETRIAL
MR. MUNDAY, et al.,	)	STATEMENT
	)	
Defendants.	)	
_____	)	

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. A review of the record reveals that all pretrial deadlines previously established by the Court have now passed. As neither party elected to file a dispositive motion in this action, the parties should now be required to prepare and submit a joint pretrial statement in anticipation of trial. Accordingly, the Court does hereby ORDER as follows:

Plaintiff and counsel for defendants must confer and provide the Court with a joint pretrial statement not later than **July 14, 2006**. The joint pretrial statement shall contain the following information by corresponding paragraph numbers:

1. A short and concise statement of the case, including the remaining legal and factual

01 issues to be determined at trial;

02       2.       A narrative written statement from each party setting forth the facts that will be  
03 offered by oral or written documentary evidence at trial;

04       3.       A list of all exhibits to be offered into evidence at trial;

05       4.       A list of the names and addresses of all the witnesses each party intends to call  
06 along with a short summary of anticipated testimony of each witness.

07       5.       Whether the parties agree to arbitration under this district's arbitration program,  
08 and if so whether the arbitration will be final and conclusive or the right to trial de novo will be  
09 preserved (*see* Local Rule CR 39.1(d));

10       6.       Pursuant to 28 U.S.C. § 636(c), whether the parties consent to having a Magistrate  
11 Judge conduct any or all remaining proceedings, including the trial and order the entry of judgment  
12 in the case.

13       7.       Whether the case should be bifurcated by trying the liability issues before the  
14 damages issues, or bifurcated in any other way;

15       8.       Any other suggestions for shortening or simplifying the trial in this case;

16       9.       The date the case will be ready for trial, considering Local Rule CR 16 deadlines;

17       10.      The dates on which trial counsel are unavailable and any other complications to be  
18 considered in setting a trial date;

19       11.      Whether the trial will be by jury or non-jury;

20       12.      The number of trial days required, and suggestions for shortening trial;

21       13.      The names, addresses, and telephone numbers of all trial counsel and unrepresented  
22 (pro se) parties who intend to appear at trial.

01 If the parties are unable to agree on any part of the joint pretrial statement, they may  
02 answer in separate paragraphs. **Separate statements are not to be filed.** Plaintiff is responsible  
03 for initiating communications for the preparation of the joint pretrial statement.

04 The Clerk of Court is directed to send a copy of this Order to plaintiff, to counsel for  
05 defendants, and to the Honorable Robert S. Lasnik.

06 DATED this 2nd day of June, 2006.

07   
08 Mary Alice Theiler  
09 United States Magistrate Judge  
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